

SEALED

AO 91 (Rev. 02/09) Criminal Complaint

FILED**UNITED STATES DISTRICT COURT
for the**

Western District of Texas

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____

DEPUTY CLERK

United States of America)
 v.)
 John Christopher Brunson)
)
)

Case No. MO:09-M-239

*Defendant***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 09/10/2009 in the county of Ector in the Western District of Texas, the defendant violated Title 18 U. S. C. § 2251(b), an offense described as follows:

Production of child pornography

This criminal complaint is based on these facts:

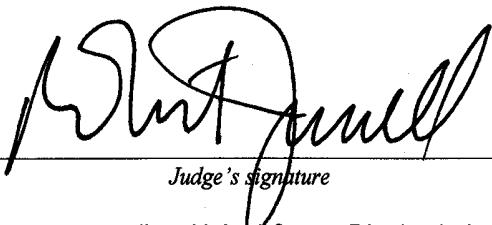
See attached affidavit

Continued on the attached sheet.



Complainant's signature
Juanita Santana Special Agent
 Printed name and title

Sworn to before me and signed in my presence.

Date: 09/10/2009


Judge's signature
Robert Junell United States District Judge
 Printed name and title

City and state: Midland, Texas

Robert Junell United States District Judge

AFFIDAVIT

I, Juanita Santana, being duly sworn do hereby state and depose as follows:

1. I am a Special Agent of the United States Immigration and Customs Enforcement (ICE) of the Department of Homeland Security. I have worked for ICE and/or its legacy components for over twenty (20) years. I am currently assigned to the Office of Investigations in Midland, Texas where I am responsible for conducting investigations of criminal violations of Immigration and Customs laws and related statutes.
2. As part of my duties as in ICE Special Agent I investigate violators of the United States Code. The information contained in this affidavit is known personally to me through investigative efforts or has been provided to me by other law enforcement officials.
3. On August 31, 2009 this affiant received a lead from Senior Special Agent (hereafter referred to as SSA) Jesse Miller, assigned to the Immigration and Customs Enforcement Vancouver, British Columbia Office of International Affairs. SSA Miller had in turn received a complaint from the Royal Canadian Mounted Police (hereafter referred to as RCMP) from a concerned citizen identified as Alan Clarke. Clarke indicated he made contact in a Yahoo chat room (voracious vixens) with a male who asked him to go to a private chat room where they initiated a highly sexually charged conversation. The male, known to Clarke as Chris HOWELL advised him that he engages in sexual acts with his three-year-old daughter, more specifically that they perform oral sex together on the webcam and that he was getting ready to start getting naughty with her.
4. RCMP analysts discovered a “Chris HOWELL” with several social networking profiles. HOWELL goes by the handle or user name of “westtxdad” and with active profiles in MySpace, Yahoo, Stickam, AdultSpace and Anywebcam. On September 1, 2009 your affiant received several documents from SSA Miller which included copies of web pages for “Chris” in the social networking site “MySpace”, who identified himself as a 33 year old white male and living in Odessa, Texas. In his MySpace page he described himself as “naughty dad looking for a naughty mom”. HOWELL was tentatively identified as a 33-year-old white male residing in Odessa, Texas, within the Western District.
5. On August 31, 2009 SSA Jesse Miller sent a subpoena to Yahoo, Custodian of Records requesting subscriber information, IP address, related to the profile name “westtxdad”, Chris HOWELL, male, Odessa, Texas. On September 4, 2009 Yahoo Custodian of Records complied with the subpoena and provided information indicating the login name “westtxdad” pertains to a Mr. Chris HOWELL, out of Odessa, Texas. The account was created on or about

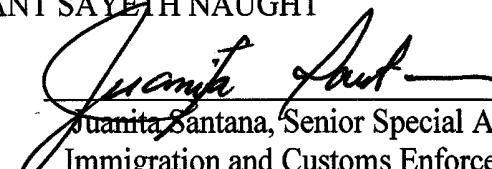
October 22, 2007 and the registered IP address is 69.152.132.12. HOWELL uses Flicker and mail through Yahoo with a mail name of westtxdad@yahoo.com

6. Chris HOWELL maintains several photos in his web page, some in military uniform. A logo with the words Permian Basin Airsoft (hereafter PBA) as well as a United States Army poster is also part of his photos. Research of the PBA through search engines revealed it is an association in which its members play war games in the local area. SSA Hardwick reviewed the web page in MySpace for the PBA and found a member by the name of "John", with the same characteristics as Chris HOWELL, even similar typographical errors in his text profile. The profile for Chris HOWELL as "westtxdad" is basically the same as "army_scout31" for John. RCMP sent your affiant two photographs that were sent by HOWELL to Clarke during their chat. The person in the photographs is one and the same person known to your affiant as John LNU and Chris HOWELL.
7. John LNU'S MySpace page contains photos of his friends, to include two of which were identified as Jeffery and "One Hot Mama and "One Kool Daddy". Closer review of "One Hot Mama's" MySpace web page revealed her name to be Marie HOWELL of Odessa, Texas, married to Jeffery Mark HOWELL. A search of government databases revealed the HOWELL'S reside at 808 N. Graham Avenue, Odessa, Texas.
8. On September 2, 2009 SSAs Pena, Hardwick, Rodriguez and your affiant traveled to the HOWELL residence in order to establish the true identity of John/Chris HOWELL. Contact was made with Jeffery and Marie HOWELL and their three-year-old twins. Your affiant showed the copies of the web pages containing photos and profiles of John and Chris HOWELL to the couple. Both parties immediately recognized and identified the man in the photographs as John BRUNSON, 33 years old, a friend of the family, married to Ariel BRUNSON, with a three-year-old daughter and residing in Ector County, Odessa, Texas.
9. Investigative efforts to fully identify HOWELL found his true and correct identity to be John Christopher BRUNSON, date of birth October 17, 1975, Texas Driver's License 16878002, which is currently clear with an expiration date of October 17, 2011. He is described as a white male, 5' 8" tall, weighing approximately 200 pounds with brown hair and hazel eyes. BRUNSON is documented under Federal Bureau of Investigation (FBI) criminal identification number 905811TA9. Criminal records indicate that BRUNSON was arrested in the past for intentionally and knowingly causing serious bodily injury to a child, driving while license suspended, carrying/possessing a weapon, unauthorized use of a vehicle and disorderly conduct.

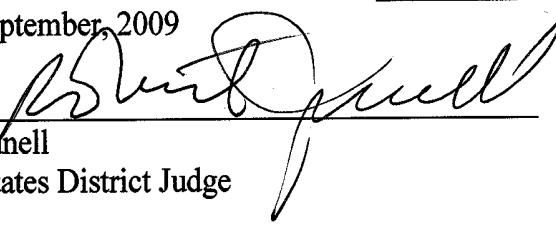
10. On September 3, 2009 at approximately 12:30 P.M. ICE Special Agents with the assistance of Ector County Sheriff's deputies executed a search warrant at BRUNSON'S place of residence located at 5757 N. Long Avenue, Odessa, Texas. Present at the residence was Ariel BRUNSON and her three-year-old female child. After securing the residence, photographs of the home were taken to document the condition of the home and items of evidentiary value. Agents recovered computers, computer peripherals, two digital cameras, a 35mm film camera, adult magazines, a web cam, storage media and other items.
11. During a preview of images obtained from BRUNSON'S laptop computer Agent Heath Hardwick, Computer Forensic Agent discovered three consecutive images under a user profile titled "John" which portrayed a prepubescent female. The images are in consecutive number and stamped dated April 28, 2009. The first image depicts the female from the neck down; standing up, wearing only a pink shirt with white trim on the sleeves with a silver beaded chain hanging from her neck. The pink shirt has a cartoon image on the front with a character wearing a bonnet. The prepubescent female is exposing her outer vaginal labia by using both of her hands to expose her vaginal area. The prepubescent female appears to have red marks on both arms near the elbows. The second image depicts the same prepubescent female laying flat on the floor with the same pink shirt on and no diaper nor underwear. Her arms are raised above her head with her right hand behind her head and her left arm fully extended with her palm up. The prepubescent female's feet are facing the camera. The third image is also of the prepubescent female laying flat on the floor in the same position as the second image however the camera has been zoomed in closer. On all three images the vagina of the female is visible. The background and floor in the photographs is the same as the one encountered in the computer room of the BRUNSON residence at the time the search warrant was executed. Wooden floors can be seen in the background and are splattered with stains of white paint. A rolling black computer chair can be seen in the room. Additionally, a pull up diaper can be seen on the floor near the prepubescent female. (The same type of pull up diaper was observed at the residence on the day of the search warrant). The prepubescent female in the images is the same prepubescent female encountered by your affiant at the residence at the time of the execution of the search warrant. The female appears to be approximately 3-years-old.
12. During the execution of the search warrant at 5757 North Long Avenue, Odessa, Texas agents recovered a Konica Minolta DiMage Z10 digital camera with an 8X optical zoom. The camera displays Serial Number 57409662 Number N13656 and manufactured in Korea. In addition, Agents also recovered a Philips 3.0 megapixels PT44434 digital camera manufactured in China. A 35mm film Polaroid 232SL motorized camera manufactured in China was also recovered during the search warrant; with serial number 50783460.

Based on the foregoing your affiant submits that probable cause exists to believe that John Christopher BRUNSON, and is in violation of Title 18 United States Code, Section 2251(b)

FURTHER AFFIANT SAYETH NAUGHT


Juanita Santana, Senior Special Agent
Immigration and Customs Enforcement

Sworn to and subscribed before me this 10
day of September, 2009


Robert Junell
United States District Judge

Range of Punishment for a violation of Title 18 United States Code, Section 2251(b):

- A minimum mandatory term of imprisonment of 15 years, not to exceed 30 years.
- A term of supervised release of 5 years
- A fine not to exceed \$250,000 USD
- A \$100 special assessment